

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 11, 2010**

**DIVISION ONE**

[illegible]

The judgment is affirmed.

Rothschild, Acting P.J.

We concur: Chaney, J.  
Johnson, J.

B217330      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
K.D.

The judgment is affirmed.

Rothschild, J.

We concur:   Mallano, P.J.  
                      Chaney, J.

DIVISION TWO

B210914 Huey Mei Lin (Not for Publication)  
v.  
City of Gardena

The judgment is affirmed. The City's motion to impose sanctions is denied.

Boren, P.J.

We concur: Doi Todd, J.  
Chavez, J.

B219354 Seongsu Kim, et al. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Wilshire State Bank, r.p.i.)

Because there is a substantial relationship between Lim Ruger's prior representation of the Kims and Lim Ruger's current representation of the Bank, and because the modified substantial relationship rule is inapplicable under the circumstances of this case, we grant the petition for writ of mandate. The trial court is directed to set aside its order denying petitioners' motion to disqualify Lim Ruger and issue a new and different order granting the motion. The temporary stay is vacated. Petitioners to recover the costs of these proceedings.

Boren, P.J.

We concur: Doi Todd, J.  
Ashmann-Gerst, J.

DIVISION THREE

B213553      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
R.K.

The order of the dependency court is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

B210695      People                          (Not for Publication)  
v.  
James Rojas

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The judgment is affirmed.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

B208156 People (Not for Publication)  
v.  
Johnny Ringgold

The judgment is reversed and the matter is remanded to the trial court with directions to conduct a new hearing on appellant's Penal Code section 1538.5 suppression motion and for further proceedings consistent with this opinion.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

### DIVISION THREE (continued)

B205660      People      (Not for Publication)  
v.  
Desmond Deon Davis

The judgment is modified by reducing the amount of the Penal Code section 1202.4, subdivision (b) restitution fine to a total of \$200, and by reducing the amount of the Penal Code section 1202.45 parole revocation fine to a total of \$200, and, as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modifications.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

B213487      People      (Not for Publication)  
v.  
Marquis Remble

The abstract of judgment is modified to reflect that (1) the \$2,600 restitution fine (Pen. Code, § 1202.4, subd. (b)) is stricken; (2) the \$2,600 parole revocation fine (Pen. Code, § 1202.45) is reduced to \$200; and (3) a \$200 probation revocation fine (Pen. Code, § 1202.44) is imposed and is now due and payable.

The Clerk of the Superior Court is directed to forward a certified copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation. As modified, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION THREE (continued)

B208827      Geragos, et al.                      (Not for Publication)  
                 v.  
                 Borer

The judgment is reversed and the matter is remanded for a new trial on damages arising from plaintiffs' first, second and fifth, sixth and eighth causes of action. However, if Geragos shall, within 30 days from the date of our remittitur, file pursuant to California Rules of Court, rule 8.264(d) a written consent to a reduction of the compensatory damages award against Borer to \$100,000, and a reduction of the punitive damages award against Borer to \$400,000, the judgment will be modified to award Geragos damages in those amounts, and as so modified will be affirmed in its entirety with respect to Geragos. (*Rosener v. Sears Roebuck & Co.* (1980) 110 Cal.App.3d 740, 757.) Likewise, if Harris shall, within 30 days from the date of our remittitur, file pursuant to California Rules of Court, rule 8.264(d) written consent to a reduction of the compensatory damages award against Borer to \$50,000, and a reduction of the punitive damages in those amounts, and as so modified will be affirmed in its entirety with respect to Harris. (*Ibid.*) The decisions of Geragos and Harris shall be independent and shall not be binding on the other plaintiff with respect to accepting a reduced award of compensatory and punitive damages or, alternatively, pursuing a new trial on damages. The parties shall bear their own costs on appeal.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                 Aldrich, J.

B211390      Webster                                      (Not for Publication)  
                 v.  
                 Allstate Insurance Company, et al.

The judgment is affirmed. Defendants are awarded costs on appeal.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                 Aldrich, J.

### DIVISION THREE (continued)

B212721      Casanova      (Not for Publication)  
v.  
Salas

The probate court order from which appellant has appealed is affirmed.  
Costs on appeal to petitioner.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

DIVISION FIVE

B212967      People                                  (Certified for Publication)  
v.  
Santos Dominguez

The judgment is affirmed.

Kriegler, J.

We concur:   Armstrong, Acting P.J.  
Mosk, J.

B214521      People                                  (Not for Publication)  
v.  
Juan Carlos Gonzalez

The judgment is affirmed.

Turner, P.J.

We concur:   Armstrong, J.  
                      Mosk, J.

DIVISION FIVE (continued)

B215106      Judy Ritchie                      (Not for Publication)

v.

Peter Ford, as Trustee, etc.

The judgment is reversed. Appellant(s) to recover costs.

Turner, P.J.

We concur:    Armstrong, J.  
Mosk, J.

DIVISION SIX

B215885      People                                      (Not for Publication)

v.

Bret Allen Jones

The appeal is dismissed.

Perren, J.

We concur:    Gilbert, P.J.  
Coffee, J.

B213137      People                                      (Not for Publication)

v.

Johnson

The judgment is affirmed.

Perren, J.

We concur:    Gilbert, P.J.  
Coffee, J.

## DIVISION SEVEN

B212969 People (Not for Publication)  
v.  
Rodriguez

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

B209761 People (Not for Publication)  
v.  
Perez, et al.

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.  
Jackson, J.

B214994      Anthony L. Greco      (Not for Publication)  
v.  
John M. Robertson

The judgment is affirmed. Respondent is awarded costs of appeal.

Woods, J.

We concur: Perluss, P.J.  
Jackson, J.



## DIVISION SEVEN (continued)

B210718      People      (Not for Publication)  
v.  
Molina

The sentence is modified to delete the two 10-year terms based on the true finding under section 186.22, subdivision (b) on counts 1 and 2. The superior court shall modify the abstract of judgment to reflect sentences of 15-years-to-life on the convictions on counts 1 and 2, and shall note a 15-year minimum parole eligibility date on counts 1 and 2 pursuant to section 186.22, subdivision (b)(5). The clerk of the superior court shall forward a copy of the amended abstract of judgment to the Department of Corrections. As so modified, the judgment is affirmed.

Woods, Acting P.J.

We concur:   Zelon, J.  
                      Jackson, J.

## DIVISION EIGHT

B207436 Continental Recover Group LLC, (Not for Publication)  
B207437 v.  
NCOM, Inc.,  
Sajed Kashani

The orders under review are affirmed. Kashani shall recover costs on appeal.

Mohr, J. (Assigned)

We concur: Flier, Acting P.J.  
Bigelow, J.

## January 11, 2010 (Continued)

## DIVISION EIGHT (continued)

B209030      People      (Certified for Partial Publication)  
v.  
Alejandro Fierro

The judgment is affirmed.

Mohr, J. (Assigned)

We concur: Rubin, Acting P.J.  
Flier, J.

B204860      Tayarie Trayshaun Baker, et al.  
v.  
National Interstate Insurance Company, et al.

Filed order certifying opinion for publication.

B207703      Stenfors  
v.  
Banning

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)